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Attorneys for Defendants:  
LEHMAN BROTHERS INC., LEHMAN  
COMMERCIAL PAPER INC. and LEHMAN  
BROTHERS HOLDINGS INC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 103 (AKH)

NELSON TOLEDO (AND WIFE, MIRYAM  
CEDENO),

Docket No.: 08-CV-2332

Plaintiff(s),

**NOTICE OF ADOPTION OF ANSWER  
TO MASTER COMPLAINT**

-against-

**ELECTRONICALLY FILED**

37 BENEFITS FUND TRUST, et. al.,

Defendant(s).

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PLEASE TAKE NOTICE that Defendants, LEHMAN BROTHERS INC., LEHMAN COMMERCIAL PAPER INC. and LEHMAN BROTHERS HOLDINGS INC., by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated August 10, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 103 (AKH).

WHEREFORE, the defendants, LEHMAN BROTHERS INC., LEHMAN COMMERCIAL PAPER INC. and LEHMAN BROTHERS HOLDINGS INC., by their attorneys, McGIVNEY & KLUGER, P.C., demand judgment dismissing the above-captioned action as against them,

attorneys, McGIVNEY & KLUGER, P.C., demand judgment dismissing the above-captioned action as against them,  
together with their costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
May 22, 2008

Yours etc.,

McGIVNEY & KLUGER, P.C.  
Attorneys for Defendants  
LEHMAN BROTHERS INC., LEHMAN  
COMMERCIAL PAPER INC. and LEHMAN  
BROTHERS HOLDINGS INC.

By: 

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TO: WORBY GRONER & NAPOLI BERN, LLP  
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